

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	
)	NO. MS06-5001-FDB-KLS
Petitioner,)	
)	
v.)	
)	ORDER OF REFERENCE
MARCIA BOZARTH,)	AND DIRECTING RESPONDENT
)	TO SHOW CAUSE
Respondent.)	

Upon the Petition of the United States Attorney for the above-named district, and the Exhibits attached thereto, including the declaration of the investigating revenue officer, it is hereby ORDERED THAT:

1. The Petition herein is referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1). The Magistrate Judge shall review all pleadings, shall determine whether a hearing is required, shall schedule and preside over such hearing, and shall take such other actions as he/she deems necessary to accomplish the purposes of the Order. The Magistrate Judge shall thereafter submit his/her proposed Order, proposed Findings of Fact and Conclusions of Law, or such other documents as he/she deems appropriate. The originals thereof shall be filed with the Clerk, and copies provided to all parties.

ORDER OF REFERENCE AND DIRECTING
RESPONDENT TO SHOW CAUSE - 1
[MS06-5001-FDB-KLS]

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101-1271
(206) 553-7970

1 2. A copy of this Order, together with the Petition and Exhibits thereto, shall
2 be personally served upon the respondent (or left with a person of suitable age and
3 discretion at the respondent's residence) within four (4) weeks of the date of this Order.
4 Within 14 days thereafter, the petitioner shall file proof of service, or shall seek
5 additional time to make such service. If the petitioner fails to comply with this paragraph,
6 this action shall be subject to dismissal forthwith.

7 3. The respondent may file with the Court, not later than two (2) weeks after
8 service of this Order upon her, a statement detailing any objections to enforcement of the
9 summons of the Internal Revenue Service. When factual issues are raised, the statement
10 shall be accompanied by an affidavit, giving the facts on which the objections are based.
11 A copy of this statement and/or affidavit shall be served on the United States Attorney.

12 4. If the Magistrate Judge finds from the statement of objections and any
13 accompanying affidavit that there are no questions of material fact and that the petitioner
14 is entitled to enforcement of the summons as a matter of law, he/she shall recommend
15 entry of an Order Enforcing Summons without scheduling a hearing. If the statement of
16 objections and any affidavit are sufficient to raise the possibility of a valid defense to the
17 summons, he/she shall schedule a hearing to consider the objections.

18 5. Failure to file a timely statement of objections will result in enforcement of
19 the summons without any further pleadings. Only those defenses asserted in the
20 statement of objections will be considered.

21 \\\

22 \\\

23 \\\

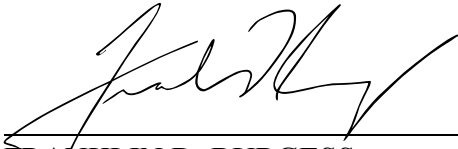
24 \\\

25
26
27 ORDER OF REFERENCE AND DIRECTING
28 RESPONDENT TO SHOW CAUSE - 2
[MS06-5001-FDB-KLS]

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101-1271
(206) 553-7970

1 6. The Clerk shall forward copies of the Order to the above-named Magistrate
2 Judge and the United States Attorney.

3 DATED this 24th day of January 2006.

4
5
6
7 
8 FRANKLIN D. BURGESS
9 UNITED STATES DISTRICT JUDGE

10 Presented by:

11 s/Kristin B. Johnson
12 KRISTIN B. JOHNSON, WSBA # 28189
13 Assistant United States Attorney

14
15
16
17
18
19
20
21
22
23
24
25
26
27 ORDER OF REFERENCE AND DIRECTING
28 RESPONDENT TO SHOW CAUSE - 3
[MS06-5001-FDB-KLS]

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101-1271
(206) 553-7970